

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

|   |   |                                |
|---|---|--------------------------------|
| THOMAS MICHAEL BROWN, an individual; on behalf of himself and all others similarly situated,  | ) |                                |
| Plaintiffs,   | ) |                                |
|   | ) |                                |
| v.  | ) | Civil Action No. 14-0266       |
|   | ) | United States Magistrate Judge |
| SKLAR - MARKIND a/k/a MARKIND LAW GROUP, P.C. a/k/a LAW OFFICES OF ANDREW SKLAR, P.C., ANDREW SKLAR, individually and in his official capacity, LLOYD MARKIND, individually and in his official capacity, JORDAN W. FELZER, individually and in his official capacity, and JOHN AND JANE DOES NUMBERS 1 THROUGH 25, | ) | Cynthia Reed Eddy              |
| Defendants.   | ) |                                |

**ORDER OF COURT**

AND NOW, this 5<sup>th</sup> day of February, 2015, upon consideration of Plaintiff Thomas Brown's Motion to Enforce November 7, 2014 Order of Court (ECF No. 27) and defendants' response thereto, the Court will DENY the motion.

Defendants do not dispute that Plaintiff's claim belongs in arbitration and that Defendants are responsible for filing fees and expenses in excess of \$125.00, nor do they challenge Plaintiff's choice of the American Arbitration Association as the appropriate organization to conduct the arbitration. Defendants correctly assert, however, that it is Plaintiff's responsibility, as the moving party who initially brought suit in this Court, to *initiate* any arbitration proceedings in accordance with the terms of the arbitration agreement.

By the Court:

s/Cynthia Reed Eddy  
Cynthia Reed Eddy  
United States Magistrate Judge

cc: all counsel of record